

The Examiner has also rejected claim 22 under 35 U.S.C. §.102(e) as allegedly being anticipated by Fox *et al.*, U.S. Patent No. 5,981,246. Specifically, the Examiner contends that claim 22, referring to a nucleic acid encoding amino acids 555-579 of MDK1, is shown in SEQ ID NO: 17 of the Fox *et al.* reference. Applicants have amended claim 22 herein to refer to a nucleic acid encoding amino acids 539-579 of MDK1, and believe that this claim amendment renders this rejection moot. Applicants, therefore, respectfully request that the rejection be withdrawn.

CONCLUSION

Applicants respectfully submit that the pending claims are in condition for allowance. An early notice to that effect is earnestly solicited. Should any matters remain outstanding, the Examiner is encouraged to telephone the undersigned at (858) 720-2500 so that they may be resolved without the need for additional action and response thereto.

Respectfully submitted,
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